

**SHERMAN CITY COUNCIL
AND
SHERMAN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES
JOINT MEETING AGENDA
SHERMAN INDEPENDENT SCHOOL DISTRICT SERVICE CENTER
2701 LOY LAKE ROAD
SHERMAN, TEXAS
TUESDAY, MARCH 21, 2017
6:15 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. RECESS FOR SHERMAN INDEPENDENT SCHOOL DISTRICT ART SHOW AND DINNER**

Reconvene Joint Meeting

- B. 1. PLEDGE OF ALLEGIANCE**
- B. 2. PRESENTATIONS FROM THE PUBLIC**

SISD Superintendent's Report

- C. 1. SHERMAN INDEPENDENT SCHOOL DISTRICT SUPERINTENDENT'S REPORT**

Finance and Operations

- D. 1. SHERMAN INDEPENDENT SCHOOL DISTRICT LONG RANGE PLANNING: 2017 BOND PRESENTATION**
- D. 2. CITY OF SHERMAN LONG RANGE PLANNING: FUTURE DEVELOPMENT**

Resolutions

- E. 1. RESOLUTION NO. 6203
Declaring Support of the Sherman Independent School District 2017 Bond Election**
- E. 2. RESOLUTION NO. 6204
Adopting an Interlocal Agreement with the Sherman Independent School District Board of Trustees for Partial Assignment of Option to Purchase Real Property**

SISD Board of Trustees' Action Items

- F. 1. CONSENT AGENDA**
- F. 2. CONSIDER AND ACT UPON ITEMS LISTED UNDER THE SHERMAN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES' CLOSED MEETING, AS NECESSARY**
- G. ADJOURNMENT**

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Called Joint Meeting of the City Council of the City of Sherman and the Board of Trustees of the Sherman Independent School District is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on March 17, 2017 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 17th day of March, 2017
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

David Plyler

Deputy Mayor

Jason Sofey

Council Members

Kevin Couch, Council-At-Large, PL #1

Jason Sofey, Council-At-Large, PL #2

Shawn C. Teamann, Council – District #1

Terrence R. Steele, Council – District #2

Pamela L. Howeth, Council – District #3

Charles H. Brown, Sr., Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Called Joint Mtg with SISD Board of Trustees

E.1.

Meeting Date: 03/21/2017

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6203

Declaring Support of the Sherman Independent School District 2017 Bond Election

Issue:

The May 6, 2017 Sherman Independent School District (SISD) Bond Election

Background:

The SISD Board of Trustees has unanimously called a \$308 million bond election for May 6, 2017.

Passage of this bond will result in a new Sherman High School, district-wide improved technology infrastructure supporting innovative teaching practices, an expanded career and technology education program that provides real-time, hands-on training and certification to prepare students for future careers, a second middle school and two new replacement elementary schools to address aging facilities and overcrowding, and improvements to athletic facilities. The SISD Board of Trustees is seeking the City of Sherman's support for their 2017 bond election.

Origination:

City Manager Robby Hefton

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

Staff recommends the Council extend their support for the SISD's 2017 Bond Election.

Alternatives:

Council could decide not to lend their support for this initiative.

Attachments

Resolution No. 6203

RESOLUTION NO. 6203

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING SUPPORT OF THE SHERMAN INDEPENDENT SCHOOL DISTRICT 2017 BOND ELECTION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on January 23, 2017, the Sherman Independent School District Board of Trustees unanimously voted to call a \$308 million bond election on May 6, 2017; and

WHEREAS, in October of 2016, the Sherman Independent School District established the Building Bearcats 2030 Committee that included Sherman ISD staff and more than 70 parents, community leaders, elected officials, clergy and business owners who donated more than 1,000 hours over four (4) months to comprehensively study, discuss and create a new long-term master facilities plan for the District; and

WHEREAS, the Building Bearcat Committee studied District data that showed enrollment is growing at 1.5 to 2 percent each year, that the average age of eight of the District's fourteen (14) school facilities is 65 years, that overcrowding and undersized classrooms exist at all school campuses and within fine arts and athletic facilities; and

WHEREAS, next generation schools require an instructional environment with modern learning spaces, technology infrastructure, and learning tools to enhance instructional experiences for students to prepare for the global and high-tech workplace; and

WHEREAS, great schools make great communities, and this bond will help produce an educated workforce that will enhance the attraction and expansion of good paying jobs, a growing tax base and increased property values; and

WHEREAS, this bond will result in a new Sherman High School, District-wide improved technology infrastructure that supports innovative teaching practices, expanded Career and Technology Education program offerings that provide real-time, hands-on training and certification to prepare students for future careers, a second middle school and two new replacement elementary schools to address aging facilities and overcrowding, and improvements to athletic facilities; and

WHEREAS, this bond will be executed under the direction of the Sherman Independent School District Board of Trustees; and

WHEREAS, the Sherman Independent School District was recognized by the Sherman Chamber of Commerce as the 2016 Large Business of the Year, and by the State of Texas with the highest award for financial transparency and the highest rating for financial management and integrity, which proves the District is fiscally responsible and can be trusted to efficiently and effectively manage the projects outlined in the bond proposal; and

WHEREAS, in order for the bond to be executed, it must receive a “yes” vote from a majority of ballots cast in the May 6, 2017 election; and

WHEREAS, the City of Sherman does hereby support the efforts of the Sherman Independent School District to provide the necessary programs and facilities to ensure a vibrant community and an educated workforce;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the findings and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. That the City of Sherman, Texas, does hereby support the Sherman Independent School District 2017 bond election and encourages all registered voters to vote in the bond election on May 6, 2017.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Called Joint Mtg with SISD Board of Trustees

E.2.

Meeting Date: 03/21/2017

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6204

Adopting an Interlocal Agreement with the Sherman Independent School District Board of Trustees for Partial Assignment of Option to Purchase Real Property

Issue:

Partial Assignment of the City of Sherman's option on real property that has been evaluated for the feasibility of joint-use land with Sherman Independent School District (SISD)

Background:

City staff has been working with Sherman ISD to evaluate potential sites for future joint development. City staff has identified a tract in southwest Sherman as a potential location for such shared use facilities. Additionally, the location of this tract is adjacent to what will be the westward extension of Travis Street from Hwy 75 to FM 1417, so purchase of this land would be in part used for this planned roadway extension. The City has negotiated a purchase price and entered into an option agreement with the property owner in order to perform due diligence on the property. The option contract has multiple option periods, the third of which is set to expire on March 31, 2017.

The City and SISD wish to enter into an Interlocal Cooperative Agreement that would assign a portion of the City's interest in said Option Agreement to the SISD for the development of district facilities.

Origination:

City Manager Robby Hefton
SISD Superintendent David Hicks

Financial Consideration:

To date, the City has exercised three option periods for a total expenditure of \$145,000.00. This amount will be applied to the purchase price.

Staff Recommendation:

Staff recommends the Council enter into the Interlocal Agreement with the SISD Board of Trustees.

Alternatives:

Council could decide against adopting the Interlocal Agreement.

Attachments

Resolution No. 6204
Interlocal Agreement

RESOLUTION NO. 6204

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING AN INTERLOCAL AGREEMENT WITH THE SHERMAN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES FOR PARTIAL ASSIGNMENT OF OPTION TO PURCHASE REAL PROPERTY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman, Texas, has entered into an Option Agreement with Walter H. De Ronde and Mary T. De Ronde for the option to purchase certain real property within the Sherman city limits; and

WHEREAS, the City desires to assign a portion of its interest in said Option Agreement to the Sherman Independent School District for the development of District facilities; and

WHEREAS, the City of Sherman and the Sherman Independent School District wish to enter into an Interlocal Cooperative Agreement permitting such assignment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That David Plyler, Mayor of the City of Sherman, Texas, be and is hereby authorized and directed to execute an Interlocal Agreement with the Sherman Independent School District Board of Trustees for the partial assignment of an option to purchase real property, pursuant to the terms and provisions of said Interlocal Agreement in the same or similar form as the agreement attached hereto and incorporated herein for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

**BY: _____
DAVID PLYLER, MAYOR**

ATTEST:

BY: _____
LINDA ASHBY,
CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

INTERLOCAL AGREEMENT FOR PARTIAL ASSIGNMENT OF OPTION TO PURCHASE REAL PROPERTY

THIS ASSIGNMENT is made this 21ST day of March, 2017 by The City of Sherman (hereinafter referred to as "Assignor" or "City") to Sherman Independent School District (hereinafter referred to as "Assignee" or "District") (hereinafter referred to jointly as "Parties").

WHEREAS, Assignor has entered into a certain Agreement for the Option to Purchase Real Property ("Agreement") with Walter H. De Ronde and Mary T. De Ronde as "Sellers" and Assignor as "Buyer" which Agreement was executed on May 18, 2016 by said Assignor and said Seller for the option to purchase and sell certain real property being, lying and situated within the territorial limits of the City of Sherman in Grayson County, Texas and more particularly described in said Agreement, copy of said Agreement being attached hereto as **Exhibit "A"**; and,

WHEREAS, Assignor desires to assign, transfer, sell and convey to Assignee a certain portion of Assignor's right, title and interest in, to and under said Agreement; and,

WHEREAS, Assignee is desirous of receiving said portion of Assignor's right, title and interest in, to and under said Agreement; and,

WHEREAS, Interlocal contracts are authorized by the Texas Interlocal Cooperation Act (TICA) Tex. Gov't Code §791.001, et seq; and,

WHEREAS, TICA provides statutory authority for local governments to contract or agree with another local government to perform governmental functions and services that each party to the contract is authorized to perform individually. Tex. Gov't Code §791.001, et seq.; and,

WHEREAS, Assignor is authorized by Texas Local Government Code §272.001(b)(5) to convey its real property interest to Assignee;

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, Assignor has assigned, transferred, sold and conveyed and by these presents does hereby assign, transfer, sell and convey unto Assignee a certain portion of Assignor's right, title and interest in, to and under said Agreement, as follows:

1. Assignee hereby assumes Assignor's Option to purchase the portion of the tract of real property suitable for the development of District facilities.

2. Assignor shall retain the Option to purchase certain portions of the tract of real property suitable for City facilities or economic development.

3. The Parties agree to identify which portions of the real property each desires to purchase on or before the day of closing contemplated by the Agreement.

4. The Parties agree to perform all covenants, conditions and obligations required under the Agreement.

5. The Parties agree to make all payments required under this Assignment and the original Agreement out of current revenue available to each paying party. See Tex. Gov't Code §791.011(d).

6. Assignee agrees and understands that Assignor is not acting as a real estate broker or agent in this transaction and is not representing either party, but rather is acting as a principal in selling its interest in the above-referenced Agreement to Assignee.

7. Time is of the essence in this Assignment.

8. Execution by Both Parties. This Assignment shall not become effective and binding until fully executed by both City and District.

9. Notice. All notices, demands and/or consents provided for in this Assignment shall be in writing and shall be delivered to the parties hereto by hand or by United States Mail with postage pre-paid. Such notices shall be deemed to have been served on the date mailed, postage pre-paid. All such notices and communications shall be addressed to the District and City at the following or at such other address as either may specify to the other in writing:

As to District: Sherman Independent School District
Superintendent of Schools
2701 Loy Lake Road
Sherman, Texas 75092

With copies to: Wolfe, Tidwell & McCoy
Attn: James C. Tidwell
320 N. Travis Street, Suite 205
Sherman, TX 75090

As to City: City of Sherman
City Manager
220 West Mulberry Street
Sherman, Texas 75090

With copies to: City of Sherman
City Attorney
220 West Mulberry Street
Sherman, Texas 75090

10. Governing Law. This Assignment shall be governed by and construed in accordance with the laws of the State of Texas with venue in Grayson County, Texas.

11. Successors and Assigns. This Assignment shall apply to, inure to the benefit of and be binding upon and enforceable against the parties hereto and their respective heirs, successors, and or assigns, to the extent as if specified at length throughout this Assignment.

12. Attorneys' Fees Cost of this Assignment. Any cost and/or fees incurred by the City or District in executing this Assignment, including but not limited to attorneys' fees shall be borne by the respective party incurring such cost and/or fee.

13. Entire Agreement. This Assignment contains all of the terms, promises, covenants, conditions and representations made or entered into by or between City and District and supersedes all prior discussions and agreements whether written or oral between City and District with respect to the Assignment and all other matters contained herein and constitutes the sole and entire agreement between City and District with respect thereto. This Assignment may not be modified or amended unless such amendment is set forth in writing and executed by both City and District with the formalities hereof.

14. Assignor is in possession of the Original Agreement.

IN WITNESS THEREOF, the Parties hereto have caused this Assignment to be executed under proper authority:

ASSIGNEE:
SHERMAN INDEPENDENT SCHOOL DISTRICT

ASSIGNOR:
CITY OF SHERMAN, TEXAS

BY: _____
Tim Millerick, Board President

BY: _____
David Plyler, Mayor

ATTEST:

ATTEST:

BY: _____
Lynn Mitchusson, Board Secretary

BY: _____
Linda Ashby, City Clerk

APPROVED AS TO FORM:

BY:

Brandon S. Shelby, City Attorney

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **DAVID PLYLER, MAYOR OF THE CITY OF SHERMAN, TEXAS**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this ____ day of _____, 2017 A.D.

Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **TIM MILLERICK, PRESIDENT OF THE SHERMAN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this ____ day of _____, 2017 A.D.

Notary Public, State of Texas



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Called Joint Mtg with SISD Board
of Trustees

H.

Meeting Date: 03/21/2017

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2017 Council Calendar

2017

JANUARY						
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1/2/2017	New Years Day/Called Council Meeting on 1/3/2017 - Cancelled
3/21/2017	Called Joint Meeting with SISD Board of Trustees
4/21/2017	Called Budget Planning Mtg in Council Chambers
6/15-16/2017	Called Budget Workshop in Council Chambers
9/4/2017	Labor Day/Called Council Meeting on 9/5/2017

[illegible]